



Public Notice

**U.S. ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-CO-F
1222 Spruce Street
St. Louis, MO 63103-2833

Public Notice No.

P- 2443

Public Notice Date

24 Nov 2004

Expiration Date

Postmaster Please Post Conspicuously Until: 15 Dec 2004

Regulatory Branch
Project Number 200407780

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers Public Notice Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CEMVS-CO-F (Kathrine Kelley)
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: Overlook Hills, L.L.C., 199 Clarkson Road, Wildwood, Missouri 63011.

AGENT: SCI Engineering, Inc., 15 Executive Drive, Suite 4, Fairview Heights, Illinois 62208

LOCATION: Section 1, Township 44 North, Range 3 East, in Wildwood, St. Louis County, Missouri (See figure 1). Project area includes tributaries to Caulks Creek, which flows into Bonhomme Creek. Bonhomme Creek is a primary tributary to the Missouri River.

PROJECT DESCRIPTION AND PURPOSE: This proposed project includes construction of a 40-lot subdivision to be known as The Villas at Overlook Hills. There are five unnamed tributaries to Caulks Creek in the project site (See figure 2). Grading and filling activities and piping portions of these channels would be required to develop building lots and construct two road crossings to provide access to the subdivision. A 3.55-acre stormwater detention basin has been proposed where intermittent Channels B and C join with intermittent Channel A; which begins on-site and continues through the project and then discharges off-site into Caulks Creek. Proposed filling activities would require approximately 800 cubic yards of material to be placed in the on-site tributaries. Two ponds are located on-site and have been identified on the attached wetland delineation and preliminary site development plan. These ponds were

created by excavating and diking dry land to retain water for livestock watering purposes and property aesthetics. Therefore, these ponds were created in an upland location, lack a surface water connection with the on-site tributaries, and are not within the floodplain. The St. Louis District, Regulatory Branch will not assert jurisdiction on the ponds. Likewise, these ponds are not within the grading limits and will not be impacted by construction of the 40-lot development.

Stream Impacts

| Stream | Length (feet) | Width (feet) | Type | Size (acre) | Impact (feet) | Impact (acre) |
|-------------|------------------|-----------------|-----------------------------|----------------|------------------|------------------|
| Tributary A | 1,525 | 7-10 | Intermittent | 0.30 | 1,193 | 0.23 |
| Tributary B | 525 | 1-2 | Intermittent, Discontinuous | 0.02 | 312 | 0.01 |
| Tributary C | 375 | 1-2 | Intermittent, Discontinuous | 0.01 | 179 | 0.01 |
| Tributary D | 110 | 1 | Ephemeral | 0.01 | 110 | 0.01 |
| Tributary E | 1,353 | 2-3 | Intermittent | 0.08 | 330 | 0.02 |
| Totals | 3,888 | -- | -- | 0.42 | 2,320 | 0.28 |

DRAWINGS: (See attached)

ADDITIONAL INFORMATION: Additional information may be obtained by e-mailing: kathrine.kelley@mvs02.usace.army.mil, or by calling Kathrine Kelley at (314) 331-8813.

AUTHORITY: This permit will be issued or denied under Section 404 of the Clean Water Act (33 U.S.C. 1344), for excavating, or discharged dredged or fill material into waters of the United States.

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Request for public hearings shall state, with particularity, the reasons for holding the public hearing.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that these proposed activities may not effect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service, at this time. In order

to complete our evaluation, comments are solicited by this public notice from the Fish and Wildlife Service and other interested agencies and individuals.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which may reasonably be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion, and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

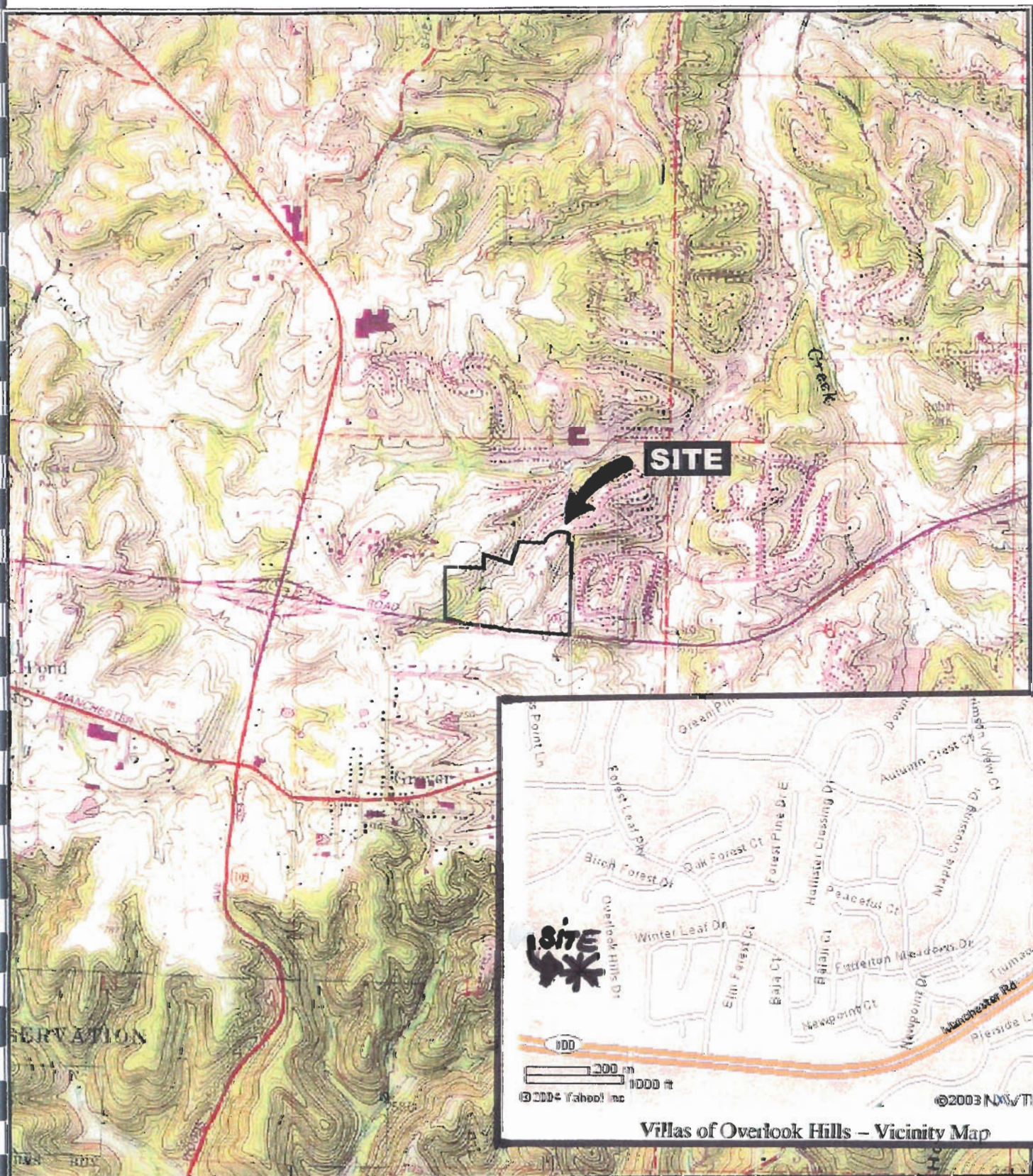
The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of these proposed activities. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



| | | |
|----------------------------|---|-----------------------------|
| | PROJECT NAME VILLAS AT OVERLOOK HILLS WILDWOOD, MISSOURI | |
| | VICINITY MAP | |
| SCALE 1" = 2000' | JOB NUMBER 2004.2000.30 | DATE OCTOBER 2004 |
| | DRAWN BY BB | FIGURE 1 |
| | CHECKED BY MSS | |

General Notes/Legend
USGS TOPOGRAPHIC MAP
EUREKA, MISSOURI QUADRANGLE
DATED 1988
PHOTO REVISED 1993
10' CONTOURS



Figure 1, Location Map
Villas of Overlook Hills
File Number 200407780, P 2443

WETLAND DELINEATION
AND PRELIMINARY SITE
DEVELOPMENT PLAN

Figure 2, Wetland Delineation and Preliminary Site Development Plan
Villas of Overlook Hills
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